

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 15, 1999

DIVISION ONE

B127132 Sarah
v.
Collins et al.

The Court:

Appellant's motion for summary reversal is granted. Appeal dismissed, parties are to bear own costs.

Spencer, P.J., Ortega, J.

DIVISION TWO

B119110 New World Construction (Not for Publication)
v.
Polhert et al.

The judgment is affirmed.

Mallano, J. (Assigned)

We concur: Boren, P.J.
Zebrowski, J.

B123426 People (Not for Publication)
v.
Pugh

The Court:

The judgment is affirmed.

Boren, P.J., Zebrowski, J., Mallano, J. (Assigned)

April 15, 1999-Continued

DIVISION TWO (Continued)

B115841 People (Not for Publication)

v.
Allen

The judgment is modified by reducing the enhancement on each count under Penal Code section 12022, subdivision (b) from three years to one year. As so modified, the judgment is affirmed. The superior court shall prepare and transmit to the Department of Corrections an amended abstract of judgment, reflecting this modification and the restitution fine previously imposed.

Mallano, J. (Assigned)

We concur: Boren, P.J.
Zebrowski, J.

DIVISION THREE

B119737 Gary Baker (Not for Publication)

V.
Ray Mentzer, et al.
Jane Geraci

The trial court's order approving the receiver's final accounting and report, discharging the receiver, exonerating the receiver's bond, requiring payment of remaining receivership obligations, and vacating the order allowing suit against the receiver is affirmed. Costs on appeal awarded to respondent and receiver Jane Geraci.

Kitching, J.

We concur: Klein, P.J.
Petersen, J. (Assigned)

April 15, 1999-Continued

DIVISION THREE (Continued)

B109811 People (Not for Publication)

V.
Giraldo

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Petersen, J. (Assigned)

B114236 People (Not for Publication)

V.
Green

The judgment is modified by imposing a suspended \$2,000 Penal Code section 1202.45 parole revocation restitution fine. The clerk of the superior court is ordered upon issuance of the remittitur to prepare a corrected abstract of judgment reflecting the Penal Code section 1202.45 suspended fine and other corrections as set forth in this opinion, and to forward a corrected copy to the Department of Corrections. In all other respects, the judgment is affirmed.

Kitching, J.

We concur: Croskey, Acting P.J.
 Petersen, J. (Assigned)

April 15, 1999-Continued

DIVISION THREE (Continued)

B113279 People (Not for Publication)

v.
Walker

The judgment is modified by imposing an additional fine in the amount of \$1,000 pursuant to section 1202.45. The clerk of the superior court is ordered upon issuance of the remittitur to prepare a correct abstract of judgment reflecting this court's modification of the judgment and the trial court's imposition of a fine of \$1,000 pursuant to section 1202.4. In all other respects the judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Petersen, J. (Assigned)

B119998 People (Not for Publication)

v.
Jones

The judgment is modified to reflect the \$200 fine actually ordered by the trial court pursuant to section 1202.45, and as so modified is affirmed. The clerk of the superior court is directed to correct the abstract of judgment to reflect the \$200 fine ordered pursuant to section 1202.45, and to send a copy of the corrected abstract of judgment to the Department of Corrections.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

April 15, 1999-Continued

DIVISION THREE (Continued)

[illegible]

The judgment is affirmed. The clerk of the superior court is ordered to prepare a corrected abstract of judgment to reflect (1) the imposition of a fine, pursuant to Penal Code section 1202.4, subdivision (b), of \$1,500, and (2) the imposition of a fine, pursuant to Penal Code section 1202.45, of \$1,500, and to forward the corrected abstract of judgment of the Department of Corrections.

Croskey, Acting P.J.

We concur: Aldrich, J.
Petersen, J. (Assigned)

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Epstein, Acting P.J., Hastings, J., Curry, J., and V. Guzman, Deputy Clerk.

B116575 People
v.
Perry

Merits:
Argued by Janice Wellborn for appellant and by Ana R. Duarte, deputy attorney general for respondent. Cause submitted.

B124678 Gasaway
v.
Cal Coast Mortgage Corporation

Merits:
Argued by Joel L. Incorvaia for appellants and by Steven C. Peck for respondent. Cause submitted.

Court in recess.

DIVISION FOUR (Continued)

The Court reconvened at 1:30 P.M.

Present: Epstein, Acting P.J., Hastings, J., Curry, J., and V. Guzman, Deputy Clerk.

B119427 Paykar Construction, Inc.
 v.
 Bedrosian, et al.

Merits:

Argued by Eric Olson for appellant and by James R. Balesh for respondents. Cause submitted.

B119711 Irving
 v.
 United Towing Service, Inc.

Merits:

Argued by Arnoldo Casillas for appellant and by Joan H. Allan for respondent. Cause submitted.

B116462 Charleston, et al.
 v.
 Hamilton Gardens Homeowners Assoc., et al.

Merits:

Argued by James G. Morris for appellants and by Holly R. Paul for respondent Hamilton Gardens Homeowners Assoc. and Edward L. Xanders for respondent ArieH. Cause submitted.

B113465 Harris
 v.
 City of Los Angeles

Merits:

Argued by Gerald M.Serlin for appellant and by Gregory P. Orland, deputy city attorney for respondent. Cause submitted.

DIVISION FOUR (Continued)

B122230 Cecil C. Laqui Medical Clinic
 v.
 Segumatay, et al.

Merits:

Argued by Amante A. Pimentel for appellants and by Robert M. Ross for respondents. Cause submitted.

B107457 Levy
 v.
 Weiser

Merits:

Argued by Edward E. Wallace for respondent and counsel for appellant having waived oral argument. Cause submitted.

B115380 Steinberger and Ganoe
 v.
 Mclean and Workman

Merits:

Argued by Arthur Kalnit for appellants and by Lance N. Kerr for respondent Workman and James D. Otto for respondent McLean. Cause submitted.

B106505 Seretti and Vujovich
 v.
 Superior National Insurance Company, et al.

Merits:

Argued by Burton Mark Senkfor for appellants and by Roy G. Weatherup for respondents. Cause submitted.

April 15, 1999-Continued

DIVISION FOUR (Continued)

Each of the following:

B118163 People v. Velasquez
B113951 People v. Garibay
B128863 Candance F. v. S.C.L.A. (DC.F.S.)
B128892 David L. v. S.C.L.A. (D.C.F.S.)

Argument waived, cause submitted.

Court Adjourned.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Burke, J. (Assigned), and G. Bents, Deputy Clerk.

Each of the following:

B121110 Aguayo v. Saticoy Lemon Assoc.
B127801 Terry v. San Luis Obispo Co. Superior Court (SCE)

Argument waived, cause submitted.

B125443 Cleaver
 v.
 Ventura Co.

Merits:

Argued by Gabriele Mezger-Lashly for appellant and by William G. Schneberg for respondent Charlotte Cleaver. Argument waived by respondent Ventura County. Cause submitted.

DIVISION SIX (Continued)

B122998 Agdeppa
 v.
 Turtle Creek Condominium Assoc.

Merits:

Argued by Robert A. Bartosh for appellant and by Sara E. Rostand for respondent. Cause submitted.

B125191 Boatner
 v.
 Gruman

Merits:

Argued by Lawrence C. Noble for appellant and by Lindsay F. Nielson for respondent. Cause submitted.

B125255 Rikken
 v.
 Fire Insurance Exchange

Merits:

Argued by Malcolm R. Tator for appellant and by Erik B. Feingold for respondent. Cause submitted.

B124095 Meyer
 v.
 SAI Partners, LTD

Merits:

Argued by J. Paul Gignac for appellant and by James F. Cote for respondent Secured Investment Advisors, Inc. Argument by respondent SAI Partners, LTD was previously ceded to respondent Secured Investment Advisors, Inc. Cause submitted.

DIVISION SIX (Continued)

B126016 Valdez
v.
Ventura Co. Employees Retirement System

Merits:

Argued by Russell R. Ghitterman for appellant and by Lawrence L. Matheney for respondent Ventura County Employees Retirement System and Marshall W. Graves for respondent Ventura County. Cause submitted.

Burke, J. (Assigned) left the bench 10:10 A.M.

B128002 Leslie
v.
Ventura County Superior Court
(Southern California Edison Co., r.p.i.)

Mandate:

Presented by David W. Tredway for petitioner; by Noel A. Klebaum, Assistant County Counsel, for amicus Ventura County; by Mark S. Borrell for real party in interest; and by Jeffrey Chine for amici Utility Industry. Cause submitted.

Court recessed at 11:05 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Burke, J. (Assigned), and G. Bents, Deputy Clerk.

Each of the following:

B118407 People v. Boydston
B118977 People v. Hill
B120812 People v. Straus
B120894 People v. Matthews
B122876 People v. Michael Brian K.
B122952 People v. Akers
B124802 People v. Welch

DIVISION SIX (Continued)

Each of the following (cont.):

B125065 People v. Mendoza
B126194 People v. Escobedo
B123700 People v. Stanley & Singerman

Argument waived, cause submitted.

B125066 People
 v.
 Gomez

Merits:
Argued by Susan Hier for appellant and argument previously waived by respondent. Cause submitted.

B123169 People
 v.
 Maldonado

Merits:
Argued by Leonard J. Klaif for appellant and by William V. Ballough, Deputy Attorney General, for respondent via video conference. Cause submitted.

B124159 People
 v.
 Najera

Merits:
Argued by Leonard J. Klaif for appellant and by Renee Rich, Deputy Attorney General, for respondent via video conference. Cause submitted.

B121868 People
 v.
 Crowley

Merits:
Argued by Jerry D. Whatley for appellant and by Joseph P. Lee, Deputy Attorney General, for respondent. Cause submitted.

DIVISION SIX (Continued)

B124283 People
 v.
 Vitale

Merits:

Argued by Wayne C. Tobin for appellant and by Ana R. Duarte, Deputy Attorney General, for respondent via video conference. Cause submitted.

B122445 People
 v.
 Perez

Merits:

Argued by Matthew P. Guasco for appellant and by Douglas L. Wilson, Deputy Attorney General, for respondent via video conference. Cause submitted.

B123707 People
 v.
 Johnson

Merits:

Argued by Richard C. Gilman for appellant and by Mary Sanchez, Deputy Attorney General, for respondent via video conference. Cause submitted.

B117264 People
 v.
 Anaya

Merits:

Argued by Susan Wolk for appellant and by Martin L. Pitha, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B121760 People
 v.
 Juarez

Merits:

Argued by Sylvia Whatley Beckham for appellant and by Theresa A. Cochrane, Deputy Attorney General, for respondent via video conference. Cause submitted.

B124959 In Re: Erik O. Locks
 on
 Habeas Corpus

Order to Show Cause:

Presented by Richard B. Lennon for petitioner and by Helen E. Hesse, Deputy Attorney General, for respondent via video conference. Cause submitted.

Court adjourned at 3:35 P.M.